

**THE FIFTH MEETING OF THE ONE HUNDRED AND TWENTY-SIXTH
COUNCIL OF THE CORPORATION OF THE CITY OF ST. THOMAS**

**COUNCIL CHAMBERS
CITY HALL**

FEBRUARY 13TH, 2006

7:00 p.m. The meeting convened with His Worship, Mayor Jeff Kohler, presiding.

ATTENDANCE

Members

Mayor J. Kohler
Alderman B. Aarts
 C. Barwick
 H. Chapman
 T. Johnston
 T. Shackelton
 M. Turvey
 D. Warden

Officials

W. Graves, City Clerk
W. Day, Director of Finance & City Treasurer
J. Dewancker, Director, Environmental Services
I. Andersen, Manager of Operations & Compliance
R. Tucker, Parks Supervisor
M. Carroll, Valleyview Administrator
R. Beachey, Deputy City Clerk
T. Johnson, Accounting Manager

THE LORD'S PRAYER

CLOSED SESSION

DISCLOSURES OF INTEREST

Nil.

MINUTES

Motion by Alderman Aarts - Warden:

THAT: The minutes of the meetings held on February 2nd and February 6th, 2006 be confirmed.

Carried.

DEPUTATIONS

St. Thomas-Elgin General Hospital Foundation

Ron Elliott, President and Allan Weatherall, Director of Development, St. Thomas Elgin General Hospital Foundation, were in attendance to update Council on the current and on-going work of the Foundation and the current campaign to raise \$1.2 million, which in part would be used for new hospital beds.

Mr. Elliott asked Council to consider making a \$100,000 grant towards this campaign.

Mayor Kohler thanked Mr. Elliott and Mr. Weatherall for their information.

St. Thomas Stars Hockey Club Inc.

Dan Rose, Capital Management Group, was in attendance to discuss a proposal to take over ownership and operation of the St. Thomas Stars Hockey Club Inc.

The members inquired about the status of existing ownership of the franchise for the St. Thomas Stars Hockey Club.

Mr. Rose stated that Mr. Brian Clements had been contacted about this proposal.

The members received a detailed proposal that had been prepared by Mr. Rose.

COMMITTEE OF THE WHOLE

Council resolved itself into Committee of the Whole.

CITY CLERK _____ CONFIRMED _____ MAYOR _____

The 5th meeting of the 126th Council - 2

PLANNING AND DEVELOPMENT COMMITTEE - Chairman H. Chapman

UNFINISHED BUSINESS

NEW BUSINESS

CIP Façade Loan - 648 Talbot Street - Appendix “A”

Motion by Mayor Kohler - Alderman Warden:

THAT: Council receive Report CC-10-06 as information; and further,

THAT: A By-law be prepared to authorize the execution of a Façade Loan Agreement with Gillian Martin, 648 Talbot Street.

Carried.

BUSINESS CONCLUDED

ENVIRONMENTAL SERVICES COMMITTEE - Chairman M. Turvey

UNFINISHED BUSINESS

NEW BUSINESS

Pinafore Park Services Building Contract Award - Appendix “B”

Motion by Alderman Aarts - Chapman:

THAT: Subject to the Committee of Adjustment approval of a minor variance to the zoning by-law, the tender of Aveiro Constructors Limited for design build services required for the renovation and addition to the Pinafore Park Services building at a contract price of \$462,301., including GST, be accepted; and further,

THAT: The schedule of other project related items, including site servicing upgrades and associated expenditures as outlined in Report ES 14-06 be approved; and further,

THAT: The Mayor and Clerk be authorized to execute the design build contract.

Carried.

2006 Watermain Lining Program - Appendix “C”

Motion by Alderman Warden - Johnston:

THAT: The proposed list of 2006 watermain lining projects as outlined in Report ES 15-06 be approved for construction, subject to the tender pricing being within the approved capital budget.

Carried.

Street Rebuilding and Resurfacing

Alderman Shackelton inquired if a complete list of proposed street rebuilding and resurfacing projects could be provided to the members, which would include the anticipated year in which the work would be done.

The Director, Environment Services stated that the information could be provided.

By consensus, the members agreed that they would like this information to be provided.

BUSINESS CONCLUDED

PERSONNEL AND LABOUR RELATIONS COMMITTEE - Chairman D. Warden

CITY CLERK _____ CONFIRMED _____ MAYOR

UNFINISHED BUSINESS

NEW BUSINESS

BUSINESS CONCLUDED

FINANCE AND ADMINISTRATION COMMITTEE - Chairman C. Barwick

UNFINISHED BUSINESS

Corporate Credit Cards

Chairman Barwick stated that questions had arisen regarding the information that had been provided to the members relating to the use of credit cards and that a motion had been prepared to authorize a forensic audit.

The members commented on various concerns that they had observed and that additional information was required to address their concerns.

The Director of Finance & City Treasurer stated that while there were controls in place, the current policy was being reviewed. Further, he stated that the purchase card system was a cost effective method of conducting business.

Mayor Kohler stated that within the revised policies he would recommend that Council be provided with a monthly report of the use of the purchase card by the Mayor.

The Director of Finance & City Treasurer stated that an estimated cost for a forensic audit would be in six figures.

The members discussed postponing an actual forensic audit until their specific concerns could be provided to the Director of Finance & City Treasurer for review.

Motion by Alderman Warden - Johnston:

THAT: The City undertake a forensic audit of the City purchase card accounts ending in the fiscal years 2003, 2004, 2005; and further,

THAT: The Mayor’s account be included in this audit; and further,

THAT: The City Treasurer be authorized to obtain estimates and names to conduct such an audit and report the same to Council as soon as possible.

Prior to voting on this motion, a motion for postponement was considered.

A request was made to deal with the following motion by recorded vote.

Motion by Alderman Aarts - Shackelton:

THAT: Council postpone the action of requesting a forensic audit on the credit card system.

Recorded Vote

<u>Yeas</u>	<u>Nays</u>
Mayor Kohler	Alderman C. Barwick
Alderman B. Aarts	T. Johnston
H. Chapman	D. Warden
T. Shackelton	
M. Turvey	

Carried.

NEW BUSINESS

The 5th meeting of the 126th Council - 4

Catfish Creek Conservation Authority - 2006 Preliminary Draft Budget

Motion by Alderman Warden - Turvey:

THAT: Council receive the Catfish Creek Conservation Authority 2006 Preliminary Draft Budget and General Levy Apportionment; and further,

THAT: The information be referred to the City's 2006 budget deliberations.

Carried.

Med-Quest Camp for Kids

Motion by Mayor Kohler - Alderman Turvey:

THAT: Council endorse the Med-Quest Pilot Project; and further,

THAT: The City of St. Thomas provide financial support for the Med-Quest Pilot Project, with a matching contribution of the County of Elgin, to a maximum of \$7,500., with the funds coming from the City's working fund reserve.

Carried.

Corporate Credit Cards

Alderman Turvey commented that the members are to provide the Director of Finance & City Treasurer with any information requests they have relating to the credit cards.

Information Technology Policies

Alderman Turvey inquired when revised policies would be completed relating to personal use of the City's computer system.

The Director of Finance & City Treasurer stated that he anticipated the policy to go to Management Board for review on March 3rd.

BUSINESS CONCLUDED

COMMUNITY AND SOCIAL SERVICES COMMITTEE - Chairman B. Aarts

UNFINISHED BUSINESS

NEW BUSINESS

BUSINESS CONCLUDED

PROTECTIVE SERVICES & TRANSPORTATION COMMITTEE - Chairman T. Shackelton

Alderman Shackelton requested Alderman Barwick remain in the Chair for the Protective Services & Transportation Committee.

UNFINISHED BUSINESS

Elmina Street and Oak Street Intersection

Captain Dennis A. Redman No.2 Fire Station

Alderman Shackelton stated that he hoped to report on the Captain Dennis A. Redman No.2 Fire Station at the next meeting.

Request for "No Standing" Zone - Forest Park Walkway

NEW BUSINESS

CITY CLERK_____CONFIRMED_____MAYOR

The 5th meeting of the 126th Council - 5

Extension of Deadline for Early Purchase of Dog Tags at Reduced Rate - Appendix "D"

Motion by Alderman Aarts - Johnston:

THAT: Council received Report CC-09-06; and further,

THAT: The reduced rate for dog tag purchases be extended to March 31, 2006 from February 15, 2006.

Carried.

Intersection of Redan Street and Woodworth Avenue

Alderman Turvey inquired if the Environmental Services Department could review traffic movements at the intersection of Redan Street and Woodworth Ave.

The Director, Environmental Services stated that a report could be prepared relating to this intersection.

BUSINESS CONCLUDED

REPORTS PENDING

ESDA SERVICING MASTER PLAN AND CLASS ENVIRONMENTAL ASSESSMENT - J. Dewancker

ENVIRONMENTALLY SENSITIVE LAND USE - P. Keenan

DRIVEWAY RECONSTRUCTION - MAPLE STREET - J. Dewancker

REVIEW OF CITY BUS ROUTES - J. Dewancker

FOREST AVENUE SIDEWALK - J. Dewancker

YWCA - FREE ICE TIME FOR LOCAL SCHOOLS - D. Morgan

COUNCIL

Council reconvened into regular session.

REPORT OF COMMITTEE OF THE WHOLE

Planning and Development Committee - Chairman H. Chapman

Environmental Services Committee - Chairman M. Turvey

Personnel and Labour Relations Committee - Chairman D. Warden

Finance and Administration Committee - Chairman C. Barwick

Community and Social Services Committee - Chairman B. Aarts

Protective Services and Transportation Committee - Chairman T. Shackelton

Motion by Alderman Turvey - Shackelton:

THAT: The recommendations, directions and actions of Council in Committee of the Whole as recorded in the minutes of this date be confirmed, ratified and adopted.

Carried.

REPORTS OF COMMITTEES

CITY CLERK _____ CONFIRMED _____ MAYOR _____

The 5th meeting of the 126th Council - 6

Alma College, 96 Moore Street - Application for Demolition Permit

The members inquired about the timeframe that they had with regard to making a decision about a demolition permit for Alma College.

The City Clerk stated that there was a 90-day time frame from the date of the receipt of the application, which was on December 23, 2005.

Motion by Alderman Johnston - Aarts:

THAT: Council receive the correspondence and recommendations from the Municipal Heritage Committee relating to Alma College dated February 8, 2006; and further,

THAT: The Management Board be directed to provide information back to Council relating to Section 35.3 of the Ontario Heritage Act; and further,

THAT: Council request the Province of Ontario to define any action they would take in the preservation and restoration of Alma College; and further,

THAT: Council request this information by March 7, 2006.

Carried.

PETITIONS AND COMMUNICATIONS

Tag Day - Multiple Sclerosis Society of Canada

Motion by Alderman Warden - Aarts:

THAT: Council authorize the conducting of Tag Days by the Multiple Sclerosis Society of Canada Elgin County Chapter for the distribution of carnations from May 11th - 14th, 2006.

Carried.

St. Thomas Numismatic Society - April 21st to April 23rd, 2006 - City Pins

Motion by Alderman Turvey - Chapman:

THAT: Council provide 100 St. Thomas city pins to the Ontario Numismatic Association for the St. Thomas Numismatic Society convention to be held from April 21st to April 23rd, 2006 at the Lamplighter Inn, London.

Carried.

Redevelopment of Horton Street Market

Motion by Alderman Shackelton - Johnston:

THAT: The letter from Mark Cosens, Chairman, Downtown Development Board, regarding the administration and management of the Horton Street Market be referred to the Director of Finance and City Treasurer for a report.

Carried.

Fanshawe College - Letter of Thanks

A letter was received from Howard W. Rundle, President, Fanshawe College, thanking The Corporation of the City of St. Thomas for the generous support of the St. Thomas/Elgin campus.

UNFINISHED BUSINESS

NEW BUSINESS

CITY CLERK _____ CONFIRMED _____ MAYOR _____

The members discussed the need to review the information that had been provided within Report ES-16-06 before taking any further action.

Motion by Alderman Warden - Turvey:

THAT: Report ES16-06 with background information relative to the existing fence encroachment on the road boulevard at 10 Pol Court be received.

Carried.

No Parking signage - Miller Street

Motion by Alderman Warden - Aarts:

THAT: The letter from Rose Gibson, 17 Miller Street, requesting "No Parking" signage on Miller Street be referred to the Environmental Services Department for a report.

Carried.

Corporate Investigations

Alderman Turvey requested that the motions passed in closed session on February 2, 2006 be brought into open session.

Motion by Alderman Turvey - Chapman:

THAT: Council direct that the motions considered by Council in Closed Session on February 2, 2006 be reported in open session.

Carried.

The City Clerk read the following motions that had been passed in closed session on February 2, 2006.

Motion by Alderman Shackelton - Aarts:

THAT: Council acknowledge that the following receipt and review of the Corporate Investigation Services "Investigative Report" has taken place:

1. Entire Report - Mayor J. Kohler, Alderman Aarts, Alderman Chapman, Alderman Shackelton, Alderman Turvey.

2. Request for and review of recommendations only - Alderman Barwick, Alderman Johnston, Alderman Warden.

Recorded Vote

Yeas

Nays

Mayor Kohler

Alderman B. Aarts

C. Barwick

H. Chapman

T. Johnston

T. Shackelton

M. Turvey

D. Warden

Carried.

Motion by Alderman Chapman - Aarts:

THAT: Council direct that the recommendation portion only of the Corporate Investigation Services "Investigative Report" be provided to the Director of Finance and City Treasurer.

Recorded Vote

Yeas

Alderman B. Aarts
H. Chapman
T. Shackelton
M. Turvey
D. Warden

Nays

Mayor J. Kohler
Alderman C. Barwick
T. Johnston

Carried.

Motion by Alderman Turvey - Shackelton:

THAT: Council direct the Treasurer and the Human Resources Director to provide a report back to Council defining how the recommendations of the Corporate Investigation Services "Investigative Report" will be addressed.

Recorded Vote

Yeas

Mayor Kohler
Alderman B. Aarts
C. Barwick
H. Chapman
T. Johnston
T. Shackelton
M. Turvey
D. Warden

Nays

Carried.

Council Remuneration

Alderman Turvey inquired if By-law 140-2001 relating to Council's remuneration could be reviewed.

The members, by consensus, agreed to have By-Law 140-2001 reviewed.

Further, the members discussed a review of Council remuneration in relationship to the allocation of committee appointments. No further action was taken on this matter.

St. Thomas-Elgin Tourist Association 2006-07 Brochure

Alderman Warden commended the St. Thomas-Elgin Tourist Association for the publication of their new brochure.

Council Meetings

Alderman Warden inquired about the potential to reduce the number of Council meetings to two per month.

Motion by Alderman Warden - Aarts:

THAT: Council reconsider the Management Board report relating to 2 meetings per month.

Motion Lost.

Kettle Creek Conservation Authority

Alderman Chapman reminded the members about the upcoming annual general meeting of the Kettle Creek Conservation Authority to be held on February 22, 2006.

St. Thomas-Elgin General Hospital Foundation

By consensus, the members directed that the request for a donation towards the capital campaign of the St. Thomas-Elgin General Hospital Foundation be considered as part of the 2006 budget deliberations.

BY-LAWS

Motion by Alderman Shackelton - Turvey:

THAT: Leave be granted to bring in the following by-laws:

1. A by-law to confirm the proceedings of the Council meeting held on the 13th day of February, 2006.
2. A by-law to authorize the Mayor and Clerk to execute and affix the Seal of the Corporation to a certain agreement between the Corporation of the City of St. Thomas, Gordon Farquhar, and Edgar Perl. (Assignment of lease - St. Thomas Municipal Airport - Part 2, Reference Plan 11R-165)
3. A by-law to authorize an agreement with Gillian Martin. (Ansell's - 648 Talbot Street - \$20,000 loan - Community Improvement Plan)
4. A by-law to authorize the Mayor and Clerk to execute and affix the Seal of the Corporation to a certain agreement between the Corporation of the City of St. Thomas and Her Majesty the Queen in Right of Canada as represented by the Ministry of Health and Long Term Care. (Amend Service Agreement - Valleyview Home for the Aged - Diagnostic and Medical Equipment Funding)
5. A by-law to authorize a deed to Walter Hayhoe Enterprises Inc. (one foot reserve - Southerly 114.5 feet of Block 47, Plan 11M-99)

Carried.

First and Second Readings

Motion by Alderman Shackelton - Turvey:

THAT: The by-laws be now read a first time, referred to Council in Committee of the Whole and read a second time.

Carried.

Alderman D. Warden was appointed Chairman of Council in Committee of the Whole and conducted the second reading of the by-laws.

On motion duly moved and seconded, the Chairman was ordered to report on the passing of the by-laws. The Chairman reported as ordered and the Mayor resumed the Chair.

Third Reading

Motion by Alderman Shackelton - Turvey:

THAT: The report of Council in Committee of the Whole on the following by-laws be received and adopted, the same be read a third time, engrossed, signed by the Mayor and Clerk, sealed and numbered.

1. A by-law to confirm the proceedings of the Council meeting held on the 13th day of February, 2006. (B/L 13-2006)

The 5th meeting of the 126th Council - 10

2. A by-law to authorize the Mayor and Clerk to execute and affix the Seal of the Corporation to a certain agreement between the Corporation of the City of St. Thomas, Gordon Farquhar, and Edgar Perl. (Assignment of lease - St. Thomas Municipal Airport - Part 2, Reference Plan 11R-165) (B/L 14-2006) (A/G 5-2006)

3. A by-law to authorize an agreement with Gillian Martin. (Ansell's - 648 Talbot Street - \$20,000 loan - Community Improvement Plan) (B/L 15-2006) (A/G 6-2006)

4. A by-law to authorize the Mayor and Clerk to execute and affix the Seal of the Corporation to a certain agreement between the Corporation of the City of St. Thomas and Her Majesty the Queen in Right of Canada as represented by the Ministry of Health and Long Term Care. (Amend Service Agreement - Valleyview Home for the Aged - Diagnostic and Medical Equipment Funding) (B/L 16-2006) (A/G 7-2006)

5. A by-law to authorize a deed to Walter Hayhoe Enterprises Inc. (one foot reserve - Southerly 114.5 feet of Block 47, Plan 11M-99) (B/L 17-2006)

Carried.

PUBLIC NOTICE

NOTICES OF MOTION

CLOSED SESSION

OPEN SESSION

ADJOURNMENT

Motion by Alderman Johnston - Turvey:

THAT: We do now adjourn. (8:51p.m.)

Carried.